MIAMI HERALD

APR 2 6 1964 ---



Donovan Assails Press Reports On Status of Church in Cuba

prisioners from Cuba said Sat-cessful.

being persecuted preted. in Cuba.

Board of Educa- topics.

private, is an absolute false-they were as far as he knew.

"Stories attributing such a statement to me have appeared in many Catholic newspapers in quoting The Catholic News in New York City and The Voice newspaper of the Miami dio-

An official of The Voice said the story had been received from the National Catholic Welfare Council News Service. Instead of running the story. The Voice ran an editorial stat-ing that Donovan was misinformed.

"Before printing such a falsegood, responsible publications

-imight have conferred with me. James B. Donovan, negotiator Efforts to reach the Catholic for the release of Bay of Pigs News for comment were unsuc-

> urday he had Donovan, a Catholic and a been falsely Knight of Malta of the church, of told newsmen he believed resaying the Ro- marks he made before the Naman Catholic tional Press Club in Washing-he had said there was no perse-National Association of Insur-Church is not ton April 17 had been misinter-cution had not only been print-ance Commissioners today.

Donovan addressed the club Donovan, also on New York City school intechairman of the gration problems and afterward New York City answered questions on various

DONOVAN tion, said: "The He said he had been asked if statement that I ever made churches in Cuba were open such a comment, in public or and that he had replied that

> But he said Saturday that this did not mean that there was no persecution - that

actually Cuba had expelled |ed in the Catholic press but Spanish and other alien priests and that there were not enough clergymen left to. carry on the work of the church.

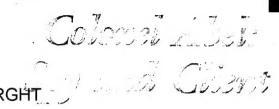
was being distributed in pamphlets in Miami, where there is a large number of Cubani refugees.

Donovan issued his comment before leaving for Miami, where He said the statement that he is scheduled to address the

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CHRISTIAN SCIENCE MONITOR

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Magers on a Bridge: The Case of Colonel Abel, Abres 2. Donovan. N York: Atheneum. \$6.95.

By Ernest S. Pisko

ing than watening conce legal or two to join his wife and pathe fought all the way up to badly missed. the Supreme Court?

in which the wits of the If are pitted against those of - ace network?

What could be more useful . Han a refresher course in A terican constitutional law. securially the Fourth Amendbook which guarantees the igo of the people lliving in the United States, citizens and con-citizens alikel to be secure he their person . . . aga ast unreasonable searches scizures" without warrant?

The bridge of the title is the ienicker bridge in Berlin besiern halves. There, en a edd, misty February morning in 1961, Mr. Donovan shook hands first with Soviet Colonel tudolf Ivanovich Abel returning to his homeland and, a few minutes later, with Francis Gary Powers, U-2 pilot, coming back to the United States.

Colonel Abel had spent four years in American prisons and Powers less than one year in Soviet prisons. Each had been convicted of spying for his respective country; Abel's sentence had been 30 years, Pow-

ers' ten.

The story of Abel could, paraphrasing a current best-seller, be called "The Spy Who Was Pushed Out of the Warmth." For he had built for himself a cozy place in New York. Arriving there in 1948, for nine years he had pursued his espionage assignment unsuspected. He spoke English fluently with a slight British accent; he lived a modest, somewhat withdrawn life, made a few friends among American middle-class people, posed as photographer and amateur painter.

None of his friends would by have believed that he was a New high-ranking member in the intelligence section of the intelligence section of the Soviet secret police. He had every reason to feel safe and to hast could be more fast hat- expect to be recalled in a year

What could be more exciting way. Nobody would have on following a true-life spy known of his activities in this country if it had not been for Reino Hayhanen, another Soif are pitted against those of viet spy, who was sent to New the Soviet Union's intelli- York in 1952 as assistant to Colonel Abel.

Hayhanen was the most unlikely spy ever to appear in a spy story. As one of the FBI

investigators said: "That guy couldn't get a job as a spy in a Marx Brothers movic." He was everything he should not have been and did everything he should not have done. He was a drunkard, a bigamist, an embezzler, a liar, a loudmouth
—in short, an intelligence agent of glaring unintelligence. And he was a traitor. Unwilling ever to go back to Moscow where he was in for an unpleasant reception from both his su-periors and his first wife, he gave himself up to the FBI and named Colonel Abel as his boss. A few weeks later Abel was arrested.

The arrest, however, was not for espionage but for illegal immigration. Obviously, the FBI: hoped that during the 57 days they held him incommunicado in a Texas jail they could persuade Abel to follow Hayhanen's example. They offered him freedom and \$10,000 if he consented to work for them, or at least to tell them all about his own work and the Soviet foreign intelligence apparatus. Since Abel refused to tell them anything and since a search in his workshop had yielded enough evidence for an airtight ease, he was officially charged with espionage against the United States, and the Brooklyn Bar Association asked Mr. Donovan to defend him.

oniused with Mat. Gen. Wiliam J. Donovan with whose as been associated during the ar - accepted, ric was fully ware that he was taking on the difficult and unpopular job, and he stipulated that ble fee yould be donated to charity.

A study of the indictment howed Mr. Donovan that Abel, if convicted, faced a pos-ible death sentence. Abel's tory of the arrest and its aftermath brought out what vas to become the court, batle's main legal point. By seizng the suspect and his property under the Alien Deporation Act without a search warrant constituted a violation of the Fourth Amendment. By tropping its original charge when Abel refused to cooperate, ignoring everything that had gone before and then at-tempting to convict Abel of a capital crime in open court would, in Mr. Donovan's view, be "paying lip service to our 'due process of law."

This was such a strong point that it took the Supreme Court two sessions before it upheld — with four judges dissening the 30-year sentence the lower court had imposed on

Abel.

The preparations for one trial and its course are co-scribed by Mr. Donovan in deail and with consummate skill. But together with the story of spell-binding courtroom duel here is the engressing story he Soviet spy and his defense itiorney and the respect they leveloped for each other. And here remains the fact, doni-ant throughout the somber, framatic, and amusing inci-lents, that the real battle was ought not to save an admitted py from just punishment but o uphold a fundamental conept of American justice. Al-hough Mr. Donovan lost the juct, he made this point efectively.

Abel, who read treatises on nigher mathematics as others read mystery stories, was a nodel prisoner. He never gave up hope that some day he would be exchanged. That op-portunity came with the Soviet apture of Mr. Powers. In or-der to get Abel back, the So-viets freed Powers and Frederic L. Prior, a young Yale student whom the East Ger-mans had arrested on espiolage charges.

Hayhanen was killed in a nysterious car crash in 1961. Accidentally or not, he sharest he fate of severa other Soviet itizens whom their

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